

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 94-459-R - ORDER NO. 94-936 ✓  
SEPTEMBER 8, 1994

IN RE:   The matter of the failure of certain        ) ORDER  
          holders of Certificates of Public         )  
          Convenience and Necessity listed on       )  
          the attached Appendix to comply with       )  
          the Rules and Regulations of this         )  
          Commission Regarding Tariffs or Rates.     )

      This matter comes before the Public Service Commission of South Carolina (the Commission) by way of Commission Order No. 94-696 in the instant Docket, which required all motor vehicle carriers listed in the Appendix thereof to appear before the Commission on September 6, 1994, at 11:15 A.M., to show cause why the Commission should not revoke and cancel their Certificates for violation of the Commission's Rules and Regulations and/or the Motor Vehicle Carrier Law of South Carolina.

      The information upon which the Commission based Order No. 94-696 was developed by the Rates Department of the Transportation Division through a procedure involving periodic inspections of the Commission's files and records. From this data, the Commission Staff developed a list of motor carriers operating in violation of the Commission's Rules and Regulations and/or the Motor Vehicle Carrier Law (Appendix of Order No. 94-696).

The Commission issued Order No. 94-696, setting a Rule to Show Cause hearing for those motor carriers who had not previously filed tariffs or rates. A public hearing regarding this matter was held on September 6, 1994, at 11:15 A.M. Florence P. Belser, Staff Counsel, represented the Commission Staff. None of the Respondents named in the Appendix of Order No. 94-696 appeared at the hearing. Wendy McManus of the Transportation Division of the Commission, testified for the Commission Staff.

With respect to all the Respondents listed in the Appendix attached hereto, the Commission is of the opinion, and so finds, that the Certificates of Public Convenience and Necessity held by all listed carriers should be, and hereby are, revoked and cancelled for their continued willful violation of the Commission's Rules and Regulations and/or the South Carolina Motor Vehicle Carrier Law [S.C. Code Ann., §58-23-10 et seq. (1976)].

The Rule to Show Cause is hereby dismissed as to the carriers who have complied with the Commission's Rules and Regulations and/or the Motor Vehicle Carrier Law.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED:

1. That the Certificates of Public Convenience and Necessity held by those motor vehicle carriers listed in the Appendix attached hereto be, and hereby are, revoked and cancelled.
2. That all operating rights authorized under the Certificates held by the carriers listed in the attached Appendix and cancelled by this Order, are null and void.
3. That this Rule be, and hereby is, dismissed, with respect

to all carriers who have complied with the Commission's Rules and Regulations and/or the Motor Vehicle Carrier Law.

4. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

  
Chairman

ATTEST:

  
Executive Director

(SEAL)

APPENDIX  
DOCKET NO. 94-459-R ORDER NO. 94-936

CARRIER

EASTERLING MOVING, INC.  
104 W. Main Street  
Bennettsville, SC 29512

C.E. HOWARD TRANSFER CO., INC.  
Rt. 2, Box 173B  
Andrews, S.C. 29510

P & M TRUCKING CO., INC.  
P.O. BOX 698  
LANCASTER, S.C. 29620

Tee Hamby dba  
TEE HAMBY WRECKER SERVICE  
Rt. 1  
Greer, S.C. 29651

Mr. Elijah Williams  
WILLIAMS TRUCKING COMPANY, INC.  
2506 Bennett Yard Road  
Charleston, SC 29405